

AMENDMENT

RECEIVED
CENTRAL FAX CENTER

DEC 13 2006

IN THE CLAIMS:

Please amend the claims as indicated below. The status and current version of the claims follows:

Listing of Claims:

1. (Currently amended) A spinal implant, comprising:
a top, wherein at least a portion of the top is configured to contact a first vertebra;
a bottom, wherein at least a portion of the bottom is configured to contact a second vertebrae;
an curved anterior side having a first curvature;
a curved posterior side having a second curvature, wherein the first curvature and the second curvature are substantially in the same direction; and
an opening extending through the spinal implant from the top to the bottom.
2. (Original) The spinal implant of claim 1, further comprising a proximal end, wherein the proximal end is substantially flat.
3. (Original) The spinal implant of claim 1, further comprising a proximal end, wherein the proximal end is substantially rounded.
4. (Original) The spinal implant of claim 1, further comprising a distal end, wherein the distal end is tapered.
5. (Original) The spinal implant of claim 1, further comprising a distal end, wherein the distal end is curved.
6. (Original) The spinal implant of claim 1, wherein the top comprises one or more protrusions configured to contact the first vertebra.
7. (Original) The spinal implant of claim 1, wherein the top comprises protrusions configured to contact the first vertebra, and wherein at least two of the protrusions differ in height.

8. (Original) The spinal implant of claim 1, wherein the top comprises protrusions configured to contact the first vertebra, and wherein the protrusions are in a radial pattern.
9. (Original) The spinal implant of claim 1, wherein the top comprises protrusions configured to contact the first vertebra, and wherein at least two of the protrusions differ in shape.
10. (Original) The spinal implant of claim 1, wherein the top comprises protrusions configured to contact the first vertebra, and wherein a first spacing between a first pair of adjacent protrusions differs from a second spacing between a second pair of adjacent protrusions.
11. (Original) The spinal implant of claim 1, wherein the bottom comprises one or more protrusions configured to contact the second vertebra.
12. (Original) The spinal implant of claim 1, wherein the bottom comprises protrusions configured to contact the second vertebra, and wherein at least two of the protrusions differ in height.
13. (Original) The spinal implant of claim 1, wherein the bottom comprises protrusions configured to contact the second vertebra, and wherein the protrusions are in a radial pattern.
14. (Original) The spinal implant of claim 1, wherein the bottom comprises protrusions configured to contact the second vertebra, and wherein at least two of the protrusions differ in shape.
15. (Original) The spinal implant of claim 1, wherein the bottom comprises protrusions configured to contact the second vertebra, and wherein a first spacing between a first pair of adjacent protrusions differs from a second spacing between a second pair of adjacent protrusions.
16. (Original) The spinal implant of claim 1, wherein an inner surface of the anterior side comprises one or more projections extending into the opening, and wherein the one or more projections are configured to strengthen the implant.
17. (Original) The spinal implant of claim 1, wherein an inner surface of the posterior side comprises one or more projections extending into the opening, and wherein the one or more projections are configured to strengthen the implant.

18. (Original) The spinal implant of claim 1, wherein at least one of the sides comprises a
19. (Original) The spinal implant of claim 1, wherein at least one of the sides comprises a groove configured to engage an insertion instrument.
20. (Original) The spinal implant of claim 1, wherein the anterior side comprises a first groove, wherein the posterior side comprises a second groove, and wherein the grooves are configured to engage an insertion instrument.
21. (Original) The spinal implant of claim 1, further comprising a proximal end, and wherein the proximal end comprises one or more grooves configured to engage an insertion instrument.
22. (Original) The spinal implant of claim 1, further comprising a distal end, and wherein the distal end comprises one or more grooves configured to engage an insertion instrument.
23. (Original) The spinal implant of claim 1, further comprising one or more openings extending through the anterior side.
24. (Original) The spinal implant of claim 1, further comprising one or more openings extending through the posterior side.
25. (Original) The spinal implant of claim 1, further comprising one or more openings extending through the anterior side and one or more openings extending through the posterior side, and wherein at least one of the anterior side openings aligns with at least one of the posterior side openings to allow for monitoring of bone growth through the implant.
26. (Original) The spinal implant of claim 1, wherein the spinal implant comprises bone.
27. (Original) The spinal implant of claim 1, wherein the spinal implant comprises polyether ether ketone.

28. (Original) The spinal implant of claim 1, wherein the spinal implant comprises one or more openings for X-ray sensitive material.
29. (Original) The spinal implant of claim 1, wherein the spinal implant comprises metal.
30. (Original) The spinal implant of claim 1, wherein the spinal implant comprises titanium.
31. (Original) The spinal implant of claim 1, wherein the top is treated to promote osseointegration of the implant with bone.
32. (Original) The spinal implant of claim 1, wherein the top is roughened to promote fusion of the spinal implant with bone.
33. (Original) The spinal implant of claim 1, wherein the opening is configured to receive packing material.
34. (Original) The spinal implant of claim 1, further comprising packing material placed in the opening, and wherein the packing material comprises bone.
35. (Original) The spinal implant of claim 1, further comprising packing material placed in the opening, wherein the packing material comprises synthetic bone material.
36. (Currently amended) A spinal implant, comprising:
a body, wherein the body comprises:
a top comprising a radially positioned protrusions, wherein the top protrusions are configured to contact a first vertebra;
a bottom comprising radially positioned protrusions, wherein the bottom protrusions are configured to contact a second vertebra;
a curved anterior side;
a curved posterior side, wherein a cross-section formed by the anterior side and posterior side is substantially kidney-shaped; and

an opening extending through the body from the top to the bottom.

37. (Original) The spinal implant of claim 36, wherein the top protrusions near the anterior side are coarser than the top protrusions near the posterior side.
38. (Original) The spinal implant of claim 36, wherein the bottom protrusions near the anterior side are coarser than the bottom protrusions near the posterior side.
39. (Original) The spinal implant of claim 36, wherein at least two of the top protrusions differ in height.
40. (Original) The spinal implant of claim 36, wherein at least two of the top protrusions differ in shape.
41. (Original) The spinal implant of claim 36, wherein a first spacing between a first pair of adjacent top protrusions differs from a second spacing between a second pair of adjacent top protrusions.
42. (Original) The spinal implant of claim 36, wherein at least two of the bottom protrusions differ in height.
43. (Original) The spinal implant of claim 36, wherein at least two of the bottom protrusions differ in shape.
44. (Original) The spinal implant of claim 36, wherein a first spacing between a first pair of adjacent bottom protrusions differs from a second spacing between a second pair of adjacent bottom protrusions.
45. (Original) The spinal implant of claim 36, wherein the top protrusions near the posterior side of the body are larger than the top protrusions near the anterior side of the body.
46. (Original) The spinal implant of claim 36, wherein the top protrusions near the posterior side of the body are higher than the top protrusions near the anterior side of the body.

47. (Original) The spinal implant of claim 36, wherein the bottom protrusions near the posterior side of the body are larger than the bottom protrusions near the anterior side of the body.

48. (Original) The spinal implant of claim 36, wherein the bottom protrusions near the posterior side of the body are higher than the bottom protrusions near the anterior side of the body.

49. (Currently amended) A spinal implant, comprising:

a body wherein the body comprises:

a curved anterior side;

a curved posterior side;

a top comprising protrusions, wherein the top protrusions near the anterior side are finer than the top protrusions near the posterior side;

a bottom; and

an opening extending through the body from the top to the bottom, wherein the body is substantially kidney shaped.

50. (Original) The spinal implant of claim 49, wherein the bottom further comprises protrusions, and wherein the bottom protrusions near the anterior side are finer than the bottom protrusions near the posterior side.

51. (Original) The spinal implant of claim 49, wherein the bottom further comprises protrusions, and wherein the bottom protrusions near the anterior side are coarser than the bottom protrusions near the posterior side.

52. (Original) The spinal implant of claim 49, wherein the bottom further comprises protrusions, wherein the bottom protrusions near the anterior side comprise a first radial pattern, and wherein the bottom protrusions near the posterior side comprise a second radial pattern.

53. (Original) The spinal implant of claim 49, wherein the top protrusions near the anterior side comprise a radial pattern.

54. (Original) The spinal implant of claim 49, wherein the top protrusions near the posterior side comprise a radial pattern.

55. (Original) The spinal implant of claim 49, wherein the bottom further comprises protrusions,

wherein the bottom protrusions near the anterior side are coarser than the bottom protrusions near the posterior side.

56. (Original) The spinal implant of claim 49, further comprising one or more openings extending through the anterior side.

57. (Original) The spinal implant of claim 49, further comprising one or more openings extending through the posterior side.

58. (Original) The spinal implant of claim 49, further comprising one or more openings extending through the anterior side and one or more openings extending through the posterior side, and wherein at least one of the anterior side openings aligns with at least one of the posterior side openings to allow monitoring of bone growth through the body.

59. (Withdrawn)

60-73. (Cancelled)

74. (Withdrawn)

75. (Withdrawn)

76-85. (Cancelled)

86. (Withdrawn)

87. (Withdrawn)

88. (Withdrawn)

89-95. (Cancelled).

96. (New) The spinal implant of claim 1 wherein the first curvature is substantially similar to the second curvature.

97. (New) The spinal implant of claim 1 wherein the first and second curvature form a substantially kidney-shaped cross-section.